

REMARKS/ARGUMENTS

Claims 1-25 have been resubmitted. Claims 1, 5, 6, 9, 10, and 15 have been amended. Claims 13-14 have been canceled. No New Claims have been added.

The Examiner rejected Claim 9 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement.

The Examiner rejected Claims 6-8 under 35 U.S.C. § 102(b) as being anticipated by Foote, et al. (U.S. Patent No. 6,008,826; "Foote"). Additionally, the Examiner rejected Claims 10-11 under 35 U.S.C. § 102(b) as being anticipated by Daniele, et al. (U.S. Patent No. 4,837,636; "Daniele").

The Examiner rejected Claims 15-24 under 35 U.S.C. § 103(a) as being unpatentable over Foote and Daniele. The Examiner rejected Claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Foote and Daniele, as applied to Claim 15 above, and further in view of Agano (U.S. Patent No. 5,930,567; "Agano"). Furthermore, the Examiner rejected Claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Daniele, as applied to Claim 10 or 11 above, and further in view of Tsuruoka et al. (U.S. Patent No. 6,160,978; "Tsuruoka"). Additionally, the Examiner rejected Claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over Daniele and Foote. The Examiner rejected Claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Daniele and Agano.

Amendments to the Claims

Claim 9:

The Examiner rejected Claim 9 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement, stating: "The limitations of 'illuminating sections of the code strip as the fiduciary marks pass

under the light emitting diode array' are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." on page 33, at lines 1-5.

Applicants respectfully traverse this rejection. The specification did indeed describe the above subject matter in a way to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention in Claim 9. The first two sentences of Paragraph [0048] states, "Assuming steady state before time $t=0$, light sources and sensors are located at locations A' and B' at time $t=0$. As the code strip and OPC belt proceed in direction C, the respective light sources illuminate sections of the code strip as the marks pass under the respective light source." The second sentence of Paragraph [0042] states, "As shown in FIG. 1A, a light source 37 illumines the fiduciary markings."

One of the light sources mentioned in the original application is a light emitting diode array. For example, the second sentence of Paragraph [0004] states, "A pixel is a point on the latent image on the OPC surface, exposed by a light source (e.g. light emitting diode, "LED," liquid crystal display array, "LCD," or other fixed optical source)." Paragraph [0035] states, "FIG. 7 is an illustration of an LED array." The eighth and ninth sentences of Paragraph [0040] state, "The belt surface is then exposed to a latent image at imaging station 16b, which is a light source that may include a light emitting diode (LED) array 222, shown in FIG. 7. The latent image is formed as the LED array scans across the moving belt 12 to expose and discharge selected areas of belt 12." The last sentence of Paragraph [0044] states "As will be explained more fully, the output of the motion encoder 20 is combined with the timing signals used in the LED drive circuit to selectively actuate individual groups of LEDs contained in the diode array and selectively discharge localized areas of the OPC surface as shown in FIG. 1." Paragraph [0053], as originally filed, states, "While discrete markings 308, 309 are illustrated and described herein, transparent or translucent fiducial marks, alternating with opaque or translucent marks, may be

envisioned. The fiducial marks 308, 309 in OPC belt 12 do not require precise placement, cutting, etching, or application. Instead, the accuracy of resolution is determined by the placement of photodiodes 223 on array 222, which is extremely precise. However, it is necessary that the number and disposition of the fiducial marks 308, 309 and the length of the array of photodiodes 223 of array 222 be such that the maximum spacing between any two adjacent discrete markings 308, 309 is less than the length of the array of photodiodes 223." Paragraph [0054] states, "In FIGS. 5 and 6, the curve 90 represents the speed of the OPC belt 12. In FIG. 5 there is graphically represented the dot printing intervals on the pixel location axis without non-uniform motion compensation according to this invention. As the LED array 222 is energized at regular intervals of time 92 on the time axis, the pixels 98 are placed on the OPC belt 12 at regular intervals as a result of non-uniform OPC motion thus degrading image quality. In FIG. 6, the pixel intervals 96 are represented graphically on the pixel location axis. When the timing of the actuation of diodes 223 in the array 222 is varied in response to a change in velocity or non-uniform motion by the OPC belt as shown at selected points 94 on the time axis, the pixels 96 are located at regular evenly spaced intervals, as shown on the pixel location axis, thus ensuring a high quality image despite the OPC belt 12 motion being irregular or uneven."

Thus, Applicants respectfully submit that the original application describes the subject matter of "illuminating sections of the code strip as the fiduciary marks pass under the light emitting diode array." Applicants request that the rejection of Claim 9 be removed and that Claim 9 now be found allowable.

35 U.S.C. § 102 Rejections

Claims 6-8:

Foote, et al. (U.S. Patent No. 6,008,826; "Foote")

The Foote document appears to disclose a system for controlling color plane image alignment in a printer wherein alignment is achieved by imprinting alignment marks directly on a belt that carries and/or drives media sheets. (Abstract, lines 1-5).

However, the Foote document does not appear to disclose using a code strip on a belt as claimed in Claim 6, let alone sensing a code strip on the belt, as also claimed in Claim 6. The Foote document also does not disclose transferring toner particles onto the belt as a function of a position signal, as claimed in Claim 6. Additionally, The Foote document does not disclose sensing the code strip with at least one sensor to produce a first position signal. Furthermore, the Foote document does not appear to disclose (but appears to teach away from) transferring a second toner particle onto the first toner particle, as claimed in Claim 6.

Claim 6:

The Examiner rejected Claim 6 under 35 U.S.C. § 102(b) as being anticipated by the Foote document, stating:

"Regarding claim 6, Foote et al. teach (column 4, lines 50-501), RAM 66 that stores an image as four individual color sub-images which inherently includes overlapping of individual colors to produce a color image of more than four colors. More specifically, two colors can be laid one on to of the other to create the complete and correct color image combined from all of the individual color sub-images." (Office Action, Page 3, lines 15-19).

Applicant respectfully traverses this rejection. The Foote document does not appear to disclose the subject matter of Claim 6, as described above. In particular, the Foote document does not appear to disclose transferring a second toner particle onto the first toner particle, as claimed at line 10 of Claim 6, as amended.

The Foote document does not show the identical invention in as complete detail as is contained in Claim 6. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. § 2131. The Foote document does not anticipate Claim 6, as each and every element of the claimed invention does not seem to be disclosed in the Foote document. Furthermore, Applicants cannot find that the Foote document discloses the claimed invention as being arranged as in Claim 6. *Lindemann Maschinefabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984).

Inherent anticipation, relied on by the Examiner, requires that the missing descriptive material is "necessarily present," not merely probably or possibly present, in the prior art. *In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950-1951 (Fed. Cir. 1999). See *Trintec Industries v. Top-U.S.A. Corp.*, 295 F.3d 1292, U.S.P.Q.2d (BNA) 1597 (Fed. Cir. 2002).

The printing process described in the Foote document may be conducted without overlapping toner particles. Multicolor printers, in general, may transfer toner to create color output without overlapping toner particles (such as by depositing toner particles or ink droplets close together with image rasterization and other imaging techniques to create various colors). Indeed, the Manual of Patent Classification accords the overlapping of toner particles to a separate sub-class of 399/231 ("Toner images overlapped: This subclass is indented under subclass 223. Subject matter wherein a second or subsequent toner images is developed on the previously developed images(s)."). Because the printing process described in the Foote document may be performed without overlapping toner particles (as shown in Figures 4 and 6), the subject matter of overlapping toner particles is not "necessarily present." Consequently, Applicants respectfully submit that the overlapping of toner particles is not inherent to multicolor printing.

As stated above regarding the *Robertson* case, Foote may not inherently anticipate overlapping toner particles by merely stating that overlapping toner

particles is probably or possibly present in Foote. Instead, the Examiner must show that overlapping toner particles is "necessarily present" in Foote.

The element of overlapping toner particles must be truly inherent, in that it is manifested in each instance of the manufacture or performance of the claimed invention. *Scaltech Inc. v. Retec/Tetra, L.L.C.*, 156 F.3d 1193, 48 U.S.P.Q.2d 1037 (Fed. Cir. 1998).

Applicants respectfully request that the Examiner provide the basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic *necessarily* flows from the teachings of the Foote document. *Ex Parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original); M.P.E.P. § 2112.

Instead of disclosing overlapping of toner particles, the Foote document teaches away from transferring any toner particle onto any other toner particle. Figures 4 and 6 of the Foote document display four colors transferred onto a surface without overlap ("In the example shown in Fig. 6, the alignment marks printed by the Cyan (C) developer station are offset in the process direction only. The Magenta (M) plane alignment marks are offset in the scan direction only and the Yellow (Y) plane alignment marks are offset in both the process and the scan direction." (Col. 5, lines 48-55).

Furthermore, Col. 4, lines 50-51 states, "RAM 66 stores an image to be printed as individual color subimages in C, M, Y and K color plane raster buffers 70." With reference to Figures 3-5, the individual color subimages are shown to not overlap.

Indeed, it is impossible for overlapping toner particles to be inherently present in Foote if Foote teaches away from overlapping toner particles. Thus, overlapping toner particles is not probable or even possible in the process described in the Foote document.

Claim 6 was amended by inserting "photoreceptor" before the word "belt" at lines 4 and 8. This amendment was not made to avoid prior art. Foote does not disclose a photoreceptor belt, but a "transport belt 22" (for example, at Col. 5, line 33). Applicant respectfully submits that amended Claim 6 is patentably

distinguished over the Foote document for at least the foregoing reasons. Therefore, Applicants respectfully request entrance of this amendment, removal of the rejection, and allowance of amended Claim 6.

Claims 7-8:

Applicant further respectfully submits that Claims 7 and 8 are now also patentable over the Foote document (Claim 7 and 8 are dependent upon independent claim 6, as amended). Thus, Applicant requests that the Examiner remove the rejection to Claims 7-8 and allow Claims 7-8.

Claims 10-11:

The Examiner rejected Claims 10-11 under 35 U.S.C. § 102(b) as being anticipated by the Daniele document (US 4,837,636).

Claim 10:

Applicant respectfully traverses the rejection of Claim 10. The Daniele document does not appear to disclose the subject matter of Claim 10, as described above. In particular, the Daniele document does not appear to disclose fiduciary marks on a code strip, let alone any code strip, as claimed at line 3 of Claim 10, as amended. Additionally, the Daniele document does not appear to disclose light reflecting from the code strip, as claimed at lines 11-13 of Claim 10, as amended. Indeed, if (for the sake of arguing) the row of holes 82, disclosed in the Daniele document, is considered to be a code strip, the holes cannot be considered capable of reflecting light. Thus, it is physically impossible for the "code strip" in the Daniele document to reflect light, as claimed in Claim 10.

"Marks" are described in the Daniele document, for example, at Col. 6, lines 12-16. While the patent applicant may be its own lexicographer for terms

(*Finnigan Corp. v. ITC*, 180 F.3d 1354, 1364, 51 U.S.P.Q.2D 1001, 1008 (Fed. Cir. 1999)), such as “marks,” it should be noted that the “marks” in the Daniele document are not even similar to the “marks” described in the present application, including Claim 10.

Claim 10 was amended by appending the words, “wherein the code strip includes a structural base, film emulsion, reflective mylar, and optical adhesive.” This amendment was not made to avoid prior art. The insertion of the subject matter, of the composition of the code strip, is not new matter and this subject matter is supported in the original application in the second and third sentences in Paragraph [0043] (“A code strip of the type attached to the belt surface can be composed of several layers. One configuration may include, top to bottom, a structural base, film emulsion, reflective mylar, and optical adhesive.”).

Applicant respectfully submits that amended Claim 10 is patentably distinguished over the Daniele document for at least the foregoing reasons. Therefore, Applicants respectfully request entrance of this amendment, removal of the rejection, and allowance of amended Claim 10.

Claim 11:

Applicant respectfully traverses the rejection of Claim 11, as the Daniele document does not appear to disclose the subject matter of Claim 11. In particular, the Daniele document does not appear to disclose fiduciary marks on a code strip that are translucent or transparent and alternating with opaque or translucent marks, as claimed at lines 3 and 4 of Claim 11.

Additionally, Claim 11 is dependent upon independent Claim 10, which is patentable over the Daniele document, as explained above. Thus, Applicant respectfully submits that Claim 11, as amended, is patentable over the Daniele document for at least the foregoing reasons. Applicant further respectfully submits that the respective dependent claim 12 is now also patentable over the Daniele document. Therefore, Applicants respectfully request removal of the rejection, and allowance of Claim 11 and original Claim 12.

35 U.S.C. § 103 Rejections

Claims 15-24:

The Examiner rejected Claims 15-24 under 35 U.S.C. § 103(a) as being unpatentable over Foote and Daniele.

Daniele, et al. (U.S. Patent No. 4,837,636; "Daniele")

The Daniele document appears to disclose a copying/printing machine containing a photoreceptor with a row of holes ("image marks"), a CCD array spaced opposite to and aligned with the row of holes. (Abstract, lines 1-4; Col. 5, lines 55-60).

However, the Daniele document does not appear to disclose or suggest using a code strip with optical adhesive to attach the code strip to a photoreceptor belt, as claimed in Claim 15, as amended. The Daniele document also does not disclose determining image misregistration between an ideal *pixel* position and an uncompensated *pixel* position, as claimed at lines 11-13 in Claim 15, as amended.

Claim 15:

Claim 15 was amended such that lines 7-8 read, "the code strip affixed onto the photoconductor belt with an optical adhesive." The insertion of the subject matter, of the code strip including optical adhesive, is not new matter and this subject matter is supported in the original application in the second and third sentences in Paragraph [0043] ("A code strip of the type attached to the belt surface can be composed of several layers. One configuration may include, top to bottom, a structural base, film emulsion, reflective mylar, and optical adhesive.").

Applicant respectfully submits that amended Claim 15 is patentably distinguished over the Foote document for at least the foregoing reasons. Therefore, Applicants respectfully request entrance of this amendment, removal of the rejection, and allowance of amended Claim 15.

Additionally, the Foote document does not appear to disclose or suggest a method comprising "sensing fiduciary markings on a code strip, the code strip moving with the photoconductor belt", as claimed at lines 6-7 of independent claim 15.

In particular, the Foote document does not seem to disclose or suggest a code strip. Applicant respectfully notes that the relevant portion cited by the Examiner (col. 57, lines 29-34) does not appear to disclose or suggest the code strip as claimed in Claim 15, let alone any code strip at all. Please note that, at a minimum, the Foote document does not seem to disclose or suggest a code strip that moves with a photoconductor belt.

As noted by the Examiner at page 7, line 9 of the Office Action, the Foote document does not disclose a photoconductor belt, as claimed at lines 2, 6, and 7 of Claim 15.

A prima facie case of obviousness does not exist as there is no suggestion, motivation, or possibility of combining the disclosure of Foote with the disclosure of Daniele. In one example, the "marks" in the Daniele document are in fact holes, which are not operable as "marks" within the process found in the Foote document.

The Examiner indicated that the portion of the Foote document at Col. 1, lines 25-40 and Col. 2, lines 20-40 shows that the Foote invention is related and used to modify the printing device that uses a photoconductor belt (Page 7, lines 10-12 of the Office Action). However, Applicants note that the portion of Foote at Col. 1, lines 25-40 does not state that a photoconductor belt is contemplated as being used within the Foote device. Instead, the cited portion is in the background section of the Foote document, with no clear suggestion that the de Jong et al. (U.S. 5,287,162) document is related (or how it relates) to

the process described in the Foote document. Furthermore, the portion cited by the Examiner at Col. 2, lines 20-40 makes no mention of a photoconductor belt.

Additionally, the cited material does not comprise all elements of Claim 15. For example, the de Jong et al. document does not disclose pixels. Indeed, neither the Foote document nor the Daniele document discloses pixels, as used in Claim 15.

"Pixels" vs. "marks"

Claim 15 refers to misregistration of a "pixel produced by a light source onto photoconductor belt." Paragraph [0004] of the original application describes a "pixel" in the context of the present invention:

"An OPC belt containing a color image in an EPG imaging system basically is a grid of pixels whose size, color, and spatial relationship create an illusion of a single complete image. A pixel is a point on the latent image on the OPC surface, exposed by a light source (e.g. light emitting diode, 'LED,' liquid crystal display array, 'LCD,' or other fixed optical source). In this regard, each pixel represents a particular color that contributes to the visual aspects of the color image. To create the desired color, each pixel may be superimposed upon other pixels of the same or different corresponding color. Upon development, several very small colored plastic particles adhere to the corresponding pixel locations. These colored particles, known as toner particles, are fused so as to blend and adhere to the recording sheet to complete the image creation."

The Foote document does not describe or suggest determining image misregistration as a distance between an ideal pixel position and an uncompensated pixel position. Foote describes "pixels" in several locations (such as Col. 2, line 23 and Col. 7, lines 3-30) without describing or suggesting misregistration or pixel positions. The portion of the Foote document cited by the Examiner regarding pixel misregistration (Col. 5, line 64 to Col. 6, line 8) makes no mention of "pixels." Instead, the cited portion of Foote mentions "marks" 144 and 146 regarding Figure 6. These "marks" are not used in the

Foote document to be synonymous with the "pixels" described elsewhere in the Foote document.

The Examiner also cited Col. 6, lines 41-45 and 56-65 as disclosing the subject matter of the fourteenth line of Claim 15 ("matching the uncompensated pixel position to the ideal pixel position"). However, these cited portions of the Foote document does not disclose or suggest this subject matter. Instead, these cited portions seem to discuss correcting the positions of the aforementioned "marks" and not "pixels." Claim 15 refers to pixel positions on a photoconductor belt surface, not "marks" on a transport belt 22 (Foote, Col. 5, lines 30-33). Thus, Applicants respectfully submits that Foote does not disclose "pixels" or "pixel positions" as claimed in Claim 15.

No prima facie case of obviousness exists as no suggestion exists within Foote or Daniele to combine the subject matter of these documents. For example, Foote does not mention pixel positions, but positions of "marks" and Daniele describes "holes" as "marks." Neither of these documents describes nor suggests using a code strip with optical adhesive to attach the code strip to a photoreceptor belt, as claimed in Claim 15. Applicants respectfully submit that no intrinsic or extrinsic evidence exists to determine motivation to combine these documents, such as "market share" or the amount or cost of research needed to combine the subject matter of these documents.

Thus, Applicant respectfully submits that independent claim 15, as amended, is patentable over the Foote document.

Claims 16-25:

Applicant further respectfully submits that the respective dependent claims 16-25 are now also patentable over the Foote document and the Daniele document, for at least the reasons stated above. Thus, Applicant requests that the Examiner remove the rejection to Claims 15-25 and thereafter allow Claims 15-25.

Claim 25:

The Examiner rejected Claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Foote and Daniele, as applied to Claim 15 above, and further in view of Agano (U.S. Patent No. 5,930,567; "Agano").

Agano (U.S. Patent No. 5,930,567; "Agano")

The Agano document seems to disclose an image recording method for forming toner images of the same color. (Abstract, lines 1-2).

Applicants cannot find within the Foote document, the Daniele document, or the Agano document any disclosure, suggestion, or motivation regarding the "code strip affixed onto the photoconductor belt with an optical adhesive," as claimed in independent Claim 15, at lines 7 and 8. As Claim 25 is dependent upon independent Claim 15, Applicants respectfully submit that Claim 25 is patentable over the Foote document and the Agano document because neither document discloses, suggests, or motivates the subject matter of dependent Claim 25, including the subject matter of independent Claim 15.

Thus, the record does not appear to establish the requisite motivation for combining the Foote document (media transport belt 22 in Figure 2) with the Agano document (photoreceptor drum 12 in Figures 1 and 2). The media transport belt 22 in the Foote document only physically transports media (such as copy paper). The media transport belt 22 does not actively react to light to act as a photoreceptor.

Therefore, Applicants respectfully request that the Examiner remove the rejection to Claim 25 (dependent upon independent Claim 15) and find Claim 25 allowable.

Claim 12:

The Examiner rejected Claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Daniele, as applied to Claim 10 or 11 above, and further in view of Tsuruoka et al. (U.S. Patent No. 6,160,978; "Tsuruoka"), stating:

"Regarding claim 12, Daniele et al. teach the apparatus of claim 10 or 11, but do not specifically teach the apparatus in which a movable photoconductor member comprises an endless photoreceptor belt.

However, Tsuruoka et al. teach an endless photoreceptor belt (column 8; line 42 & figure 4, endless transfer belt 4)."

Tsuruoka et al. (U.S. Patent No. 6,160,978; "Tsuruoka")

The Tsuruoka document appears to disclose an image forming apparatus having an endless belt (Abstract, lines 1-2). The endless belt is not an endless photoreceptor belt, but an endless transfer belt (Abstract, lines 11-14; "Indicia is arranged on an outer perimeter surface of the endless transfer belt, with a sensor used to indicate the indicia."). The Tsuruoka document appears to further indicate that the endless belt is an intermediate transfer belt 4 (Figures 18 and 22; Col. 1, lines 43, 47, 50, and 51). The Tsuruoka document seems to indicate that item 1 is a photosensitive drum (Figure 9; Col. 1, lines 37 and 41).

Furthermore, Applicants cannot find sufficient motivation within the Tsuruoka document or the Daniele document to support a combination that would render obvious the subject matter of independent Claims 10 or 11. As explained above, Claim 10, as amended, claims, "the code strip includes a structural base, film emulsion, reflective mylar, and optical adhesive."

Thus, Applicants respectfully request that the Examiner take notice that the Tsuruoka document does not disclose an endless photoreceptor belt and accordingly find that the subject matter of the Tsuruoka document is not capable of being combined with the subject matter of the Daniele document to render Claim 12 obvious. Furthermore, neither the Tsuruoka document nor the Daniele document discloses any code strip that "includes a structural base, film emulsion, reflective mylar, and optical adhesive."

Because Claim 12 is multiply dependent upon either Claim 10 or Claim 11, Applicants respectfully submit that Claim 12 is not rendered obvious by the combination of the Daniele document and the Tsuruoka document.

Therefore, Applicants respectfully request that the Examiner remove the rejection of dependent Claim 12 and find Claim 12 allowable.

Claims 1-5:

The Examiner rejected Claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over the Daniele document and the Foote document.

The Daniele document, as discussed above regarding the Foote document and Claims 15-24, does not seem to disclose any motivation to combine the subject matter of the Daniele document with the subject matter of the Foote document as the Daniele document does not disclose or suggest the formation of a toner particle stack.

The Daniele document states, "Referring particularly to FIG. 2, photoreceptor 10 is provided with a row 81 of fiducial marks in the form of holes 82." (Col. 5, lines 55-57). Despite the holes 82 being called "fiducial marks," the holes 82 are not marks at all, but voids within the photoreceptor 10 (Figures 2 and 10). At a minimum, no code strip is involved in the Daniele document (nor the Foote document).

Additionally, Applicants cannot find any resemblance of a code strip "wherein the code strip is disposed adjacent to the at least one sensor includes an optical adhesive" on a photoreceptor belt within the Daniele document or the Foote document, as claimed at lines 6-7 of Claim 1, as amended.

Therefore, Applicants respectfully request that the Examiner remove the rejection to independent Claim 1 and find Claim 1 allowable.

Claims 2-4 are dependent upon independent Claim 1, as amended. For at least the same reasons given above for Claim 1, Applicants respectfully suggest that the rejection of Claims 1-4 be withdrawn and a notice of allowance

be issued for dependent Claims 1-4, which are dependent upon independent Claim 1, which is patentable as described above.

Claim 9:

The Examiner rejected Claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Daniele and Agano.

Applicants cannot find sufficient motivation for the combination of the Daniele document with the Agano document to find a suggestion of the subject matter of Claim 9, as amended.

Particularly, Applicants could not find any suggestion of a code strip within the Daniele document or the Agano document. Neither can Applicants find "fiduciary marks on a code strip affixed to the moving photoreceptor surface with an optical adhesive," as claimed at lines 2-3 of Claim 9, as amended. Applicants also are unable to find the steps of illuminating sections of the code strip as the fiduciary marks pass under the light emitting diode array; or detecting light reflected from the code strip to track the motion of the photoreceptor, as claimed at lines 11-14 of Claim 9 as amended.

Applicant respectfully submits that amended Claim 19 is patentably distinguished over the Daniele document and the Agano document for at least the foregoing reasons. Therefore, Applicants respectfully request entrance of this amendment, removal of the rejection, and allowance of amended Claim 9.

CONCLUSION

Entry of the amendments to the specification and the claims is respectfully requested. Reconsideration and withdrawal of the Office Action with respect to Claims 1-25 is respectfully requested. Applicants respectfully request the prompt issuance of a notice of allowance of all claims. In the event the examiner wishes to discuss any aspect of this response, please contact the attorney at the telephone number identified below.



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